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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No.: CR 14-0196 CRB
	)	
v.	)	UNITED STATES' OPPOSITION REGARDING
	)	ALLEGED INFORMANTS
KWOK CHEUNG CHOW, et al.	)	
	)	
Defendants.	)	Court: Honorable Charles R. Breyer
	)	
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	)	
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## I. INTRODUCTION

The government previously filed a notice laying out some of the evidence that connected defendant Chow to the murder of Allen Leung and to a conspiracy to murder Jim Tat Kong. That document was filed on October 12, 2015 (Doc. 1059). On October 28, 2015, defendant Chow filed a Motion for Revelation and Production of Confidential Informants Labeled Individual A, B, C, D, and E. Defendant noticed the Motion for hearing on November 2, 2015, without conferring with government counsel and in violation of Criminal Local Rule 47-2(a). As explained below, the government intends to disclose previously unnamed individuals who are expected to testify at trial. Other unnamed individuals described in the government's notice are not government informants and fall outside of the scope of defendant Chow's Motion. Therefore, defendant's Motion should be denied without any hearing as improperly filed, inaccurate, and moot.

## II. ARGUMENT

Defendant's Motion badly mischaracterizes the government's proof of Chow's involvement in the murder of Allen Leung and the solicitation to murder Jim Tat Kong. Relevant to this motion, however, Chow describes Individuals A through E as informants. That is incorrect, rank speculation, and Chow provides no basis for his assertions. Individuals A through E were not identified by name but they were also **not** all identified as government informants. Chow's motion should, therefore, be denied as completely inaccurate.

To the extent that any of Individuals A through E will be testifying witnesses at trial, they were set to be identified to defendant Chow as soon as they became cooperating witnesses by entering into a guilty plea with a cooperation provision. That was the timing established by the Court and counsel for disclosure of cooperators and *Giglio* materials. The government is, however, willing to make early disclosure of those individuals described as Individuals A through E that it currently expects will testify at trial. The government will do so via letter prior to November 2, 2015, although that will be earlier than the time established by the Court. To the extent, therefore, that any of the unnamed individuals are cooperators who will testify, the government will make the appropriate disclosures prior to the time set

1 for such disclosures. Those described as Individuals A through E are simply **not** informants, are not  
2 expected to testify for the government, and their identities need not be disclosed.

3 Defendant Chow's motion should therefore be denied without further hearing.

4 **III. CONCLUSION**

5 For the reasons stated above, the government hereby respectfully requests that the Court deny  
6 Chow's Motion without further hearing.

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8 DATED: October 29, 2015

Respectfully submitted,

9  
10 BRIAN J. STRETCH  
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